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032604

March 26, 2004

17439  
Mail Stop Patent Application  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

032604  
U.S.P.T.O.  
Re: Applicant(s): Yencho, Stephen; et. al.  
Assignee: Cardica, Inc.  
Title: Superelastic Anastomosis Device  
Customer No.: 33109

Dear Sir:

This is a request for filing a **continuation** application under 37 CFR 1.53(b) of pending U.S Patent Application serial no. 09/687,216, filed on October 12, 2000 by the following named inventors:

- (a) Yencho, Stephen; and
- (b) Vargas, Jaime.

Small entity status is hereby claimed.

Enclosed is a copy of the prior U.S. Patent Application serial no. 09/687,216 as originally filed, including copies of the specification and drawings. The enclosed patent application includes a new set of claims, a first page that has been revised to claim priority to the parent application, and a new abstract, in accordance with 1251 Off. Gaz. Pat. Office 54 (October 9, 2001). A copy of the executed oath or declaration as filed in U.S. Patent Application Serial No. 09/687,216 is also enclosed.

Assignment to Vascular Innovations, Inc. of U.S. Patent Application Serial No. 09/687,216 is recorded at reel 011525, frame 0925. The assignee's change of name from Vascular Innovations, Inc. to Cardica, Inc. is recorded at reel 013180, frame 0120.

The power of attorney in the prior application is to Brian A. Schar, Reg. No. 45,076, and Mark Meltzer, Reg. No. 28,739. Please address all communications to:

Brian A. Schar  
Chief Patent Counsel  
Cardica, Inc.  
900 Saginaw Drive  
Redwood City, California 94063

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Return postcard;
- (3) Information Disclosure Statement and Form PTO-1449;

(4) Copy of U.S. Patent Application Serial No. 09/687,216 as filed, including originally-filed declaration, with revised first page, a new set of claims and a new abstract; and  
(5) Check no. 09502 in the amount of \$412.00.

The fee has been calculated as shown below:

CLAIMS

| <u>Claims</u>   |    | <u>Included in<br/>filing fee</u> |    | <u>Present<br/>Extra</u> |   | <u>Rate</u> | <u>Fee</u>    |
|---|----|-----------------------------------|----|--------------------------|---|-------------|---------------|
| Basic Application Fee   |    |                                   |    |                          |   |             | 385.00        |
| Total Claims  | 23 | Minus                             | 20 | =                        | 3 | x \$9       | \$ 27.00      |
| Independent<br>Claims   | 3  | Minus                             | 3  | =                        | 0 | x \$43      | \$ 0.00       |
| <input type="checkbox"/> Fee of _____ for the first filing of one or more multiple<br>dependent claims per application                          |    |                                   |    |                          |   | \$          |               |
| <input type="checkbox"/> Please charge our Deposit Account No. 502108 in the amount of  |    |                                   |    |                          |   | \$          |               |
| <input checked="" type="checkbox"/> Please charge any additional fees required and credit any overpayment to our Deposit<br>Account No. 502108. |    |                                   |    |                          |   |             |               |
|   |    |                                   |    |                          |   | Total: \$   | <u>412.00</u> |

Allowance of the pending claims is respectfully requested.

Express Mail Label No.  
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Respectfully submitted,  
  
Brian A. Schar  
Attorney for Applicant(s)  
Reg. No. 45,076  
(650) 331-7162